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Compilation on Barbados

Report of the Office of the United Nations High Commissioner for Human Rights

I. Background

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a compilation of information contained in reports of treaty bodies and special procedures and other relevant United Nations documents, presented in a summarized manner owing to word-limit constraints.

II. Scope of international obligations and cooperation with international human rights mechanisms and bodies

2. The United Nations subregional team noted the ratification by Barbados of the Convention on the Rights of Persons with Disabilities in 2011, but stressed that, since then, Barbados had not ratified or acceded to any other additional international human rights treaties.[1]

3. The Committee on the Rights of the Child recommended that Barbados consider ratifying the Optional Protocols to the Convention on the Rights of the Child on the involvement of children in armed conflict, on the sale of children, child prostitution and child pornography and on a communications procedure, as well as the International Convention for the Protection of All Persons from Enforced Disappearance, the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, and the Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty.[2]

4. The Committee on the Elimination of Discrimination against Women was concerned that the Office of the Attorney General had advised against ratifying the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women, stating that it would require the establishment of additional mechanisms.[3]

5. The United Nations Educational, Scientific and Cultural Organization (UNESCO) noted that, upon ratification of the International Covenant on Economic, Social and

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Cultural Rights. Barbados had made a reservation to article 13 (2) concerning the application of the right to education. It proposed that Barbados be encouraged to withdraw its reservation.[7]

6. The Office of the United Nations High Commissioner for Refugees (UNHCR) recommended that Barbados accede to the 1951 Convention relating to the Status of Refugees and its 1967 Protocol,[8] as well as consider withdrawing its reservation to the 1954 Convention relating to the Status of Stateless Persons and ratifying the 1961 Convention on the Reduction of Statelessness.[9]

7. The United Nations subregional team noted that, although Barbados had neither extended a standing invitation to the special procedure mechanisms nor responded positively to their requests for an official visit, the Government did cooperate with the former Special Rapporteur on violence against women, its causes and consequences, Rashida Manjoo, during her visit to Barbados on 20 and 21 April 2015 as part of her 2015 study visit to the Caribbean.[10]

8. The Committee on the Elimination of Discrimination against Women noted with satisfaction the engagement of Barbados to implement the Sustainable Development Goals and the establishment of a new mechanism to achieve the goals.[11]

9. The United Nations subregional team noted that Barbados had engaged with the Office of the United Nations High Commissioner for Human Rights and other United Nations agencies for capacity-building and technical assistance with regard to human rights reporting, establishing national mechanisms for reporting and follow-up, participation in Human Rights Council initiatives and national initiatives, and activities relating to the rights of women, children and persons with disabilities.[12]

III. National human rights framework[13]

10. The Committee on the Rights of the Child was concerned that parts of national legislation, in particular legislation relating to the definition of the child, administration of juvenile justice, violence against children and custody, were not harmonized with the Convention on the Rights of the Child.[14] The United Nations subregional team reported that the Government was working on legislation intended to reflect some of the principles and provisions of the said Convention.[15]

11. The Committee on the Elimination of Discrimination against Women recommended that Barbados establish an independent national human rights institution, in accordance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), with a mandate to promote and protect women's rights, and that the Office of the Ombudsman incorporate a gender perspective into its work.[16] The Committee on the Rights of the Child recommended the establishment of a specific mechanism for monitoring children's rights, either within the Office of the Ombudsman or separately, to receive, investigate and address complaints from children in a child-sensitive manner.[17]

IV. Implementation of international human rights obligations, taking into account applicable international humanitarian law

A. Cross-cutting issues

1. Equality and non-discrimiaation[18]

12. The Committee on the Elimination of Discrimination against Women was concerned that there was no law on gender equality nor any comprehensive anti-discrimination legislation and that article 23 (1) (b) of the Constitution did not prohibit discrimination on the grounds of sex.[19] UNESCO recommended that Barbados review and amend the

definition of discrimination in the Constitution in order to extend it to cover discrimination on the grounds of disability and health status.[20] The United Nations subregional team noted that the Government was in the process of drafting anti-discrimination legislation to cover the rights of many marginalized groups, including persons with disabilities, however, there was no indication that lesbian, gay, bisexual, transgender and intersex persons would be protected under such legislation.[21]

13. The Committee on the Rights of the Child was concerned at the persistent discrimination against migrant children and children with disabilities. It urged Barbados to ensure the full implementation of relevant existing laws prohibiting discrimination, including by strengthening public education campaigns to address negative social attitudes towards such children.[22] UNESCO made similar recommendations with regard to persons with disabilities.[23]

14. The Committee on the Elimination of Discrimination against Women recommended that Barbados strengthen its understanding of the substantive equality of women and men[24] and ensure equal rights and opportunities for women who faced intersecting forms of discrimination, in particular migrant women, women belonging to a religious minority group and lesbian, bisexual and transgender women.[25]

2. Development, the environment, and business and human rights[26]

15. The United Nations subregional team reported that Barbados was in the process of implementing a development plan intended to advance sustainable economic and social development, as evidenced by its Growth and Development Strategy 2013-2020.[27]

16. The Committee on the Elimination of Discrimination against Women recommended that Barbados include an explicit gender perspective in national policies and action plans on climate change, disaster response and risk reduction, targeting women not only as victims but also as active participants in the formulation and implementation of such policies.[28]

17. The same Committee was also concerned that the financial secrecy policies and rules on corporate reporting and taxation had a potentially negative impact on the ability of other States, in particular those already short of revenue, to mobilize the maximum available resources for the fulfilment of women's rights.[29] It recommended that Barbados undertake independent, participatory and periodic impact assessments of the extraterritorial effects of its financial secrecy and corporate tax policies on women's rights and the substantive equality of women and men.[30]

B. Civil and political rights

1. Right to life, liberty and security of person[31]

18. The United Nations subregional team noted that the proposed legislation to abolish the mandatory death penalty remained pending. In 2015, the Government had supported and participated in a regional meeting of government representatives on the status of the death penalty in the Caribbean. The Government had supported an upcoming United Nations-sponsored death penalty sensitization workshop and survey on attitudes towards the death penalty in Barbados.[32]

19. The United Nations subregional team reported that police abuse remained a problem. In 2017, more than one video emerged on social media showing the police abusing persons in public. It also reported that an increasing number of police officers had been charged and arrested for abusing persons in police custody and for unlawful killings. Some police officers had participated in a human rights training programme and the Government had announced its intention to introduce video and audio recordings of police interrogations, which had already been launched on a pilot basis in a few police stations.[33]

2. Administration of justice, including impunity, and the rule of law[34]

20. The Committee on the Rights of the Child noted that Barbados was in the process of reviewing its juvenile justice system, including through the drafting of a juvenile justice

bill.[35] The United Nations subregional team noted that the bill was aimed at reforming provisions of the Juvenile Offenders Act and the Reformatory Industrial School Act.[36] The Committee on the Rights of the Child was also deeply concerned that, while the age of criminal responsibility had been raised to 11 years, it remained low, and that children who were 16 years or older were treated and tried as adults.[37] The Committee was also concerned that children could be sentenced to long periods of deprivation of liberty for status offences, and urged Barbados to promote alternative measures to detention, wherever possible, and ensure that detention was used as a last resort only and for the shortest possible period of time and that it was reviewed on a regular basis with a view to withdrawing it. The Committee also urged Barbados to remove status offences as grounds for deprivation of liberty of children.[38]

21. The Committee on the Elimination of Discrimination against Women noted with appreciation the involvement of Barbados in a region-wide project to improve access to justice, in particular for women. It also noted the plans to establish a family court with island-wide jurisdiction to hear matters relating to family arrangements at the magisterial and High Court levels. The Committee was, however, concerned about the insufficient resources allocated to the justice system, the overly burdensome procedural rules, considerable backlogs and lengthy delays in processing cases, the limited capacity of the police and courts to address complaints from women about gender-based violence in a gender-sensitive manner and the absence of a specialized court on family law.[39]

3. Fundamental freedoms and the right to participate in public and political life

22. UNESCO reported that Barbados still did not have a law on freedom of information, even though the drafting of one had begun in 2008.[40] It also reported that defamation, including libel, remained a criminal offence punishable by imprisonment for up to 12 months[41] and recommended that Barbados decriminalize defamation and place it within a civil code[42] and consider strengthening the independence of broadcast licensing, in accordance with international standards.[43]

23. The Committee on the Elimination of Discrimination against Women was concerned that women remained significantly underrepresented at the decision-making level in Parliament, in the Government and in the diplomatic service, owing to patriarchal attitudes, a lack of effective measures, such as statutory quotas or a parity system for political appointments, limited access to political networks and insufficient capacity-building for women on political leadership skills.[44]

4. Prohibition of all forms of slavery[45]

24. The United Nations subregional team and UNHCR reported that Barbados continued to be a source country for children subjected to sex trafficking and a destination country for men, women and children subjected to sex trafficking and forced labour.[46] The Committee on the Elimination of Discrimination against Women noted that this was due to high unemployment, increasing levels of poverty and weak implementation of anti-trafficking legislation.[47] The Committee on the Rights of the Child was concerned at the high level of internal trafficking of children.[48] The United Nations subregional team noted that there had not been any arrests for trafficking in human beings since the major arrest in 2013 involving multiple suspects and victims, however, the Government recognized the existence of the practice. The Senate was currently considering amendments to a number of bills, including the Immigration (Amendment) Bill, 2016, and the Criminal Assets Recovery Fund Bill, 2016, which were intended to strengthen penalties against those caught smuggling persons through or into Barbados.[49]

25. UNHCR reported that an anti-trafficking law, which had been approved by Parliament in 2016, was not yet in force. It stated that the law lacked stringent enough penalties to deter the crime and did not specifically provide for victims to have access to screenings that would enable their identification as potential persons of concern. UNHCR acknowledged, however, the establishment of formal, victim-centred guidelines for officials on the identification and protection of trafficking victims and the prosecution of trafficking offenders. It encouraged Barbados to adopt specific screening procedures for asylum

seekers and refugees who may be trafficking victims and prevent the deportation of any victims of trafficking who may be in need of international protection.[50]

26. The Committee on the Elimination of Discrimination against Women was concerned about the delay in the adoption of the national policy on trafficking and the policy and procedures manual for the protection of victims of trafficking that had been under discussion since 2008. It recommended that Barbados establish sufficiently funded and equipped shelters and crisis centres for women victims and provide reintegration programmes, alternative income-generating opportunities for women victims of trafficking, and exit programmes for women who wished to leave prostitution.[51]

5. Right to privacy and family life[52]

27. The Committee on the Rights of the Child and the Committee on the Elimination of Discrimination against Women were concerned that, although the legal minimum age for marriage was 18 years for both women and men, children who were 16 or 17 years could marry with the consent of their parents.[53]

28. The Committee on the Rights of the Child recommended that Barbados strengthen its promotion and support for family-type alternative care for all children deprived of parental care, without discrimination, and prioritize family-type care over institutional care. It also recommended that adequate resources and medical, psychological and educational services be allocated to alternative care centres and relevant child protection institutions in order to facilitate the rehabilitation and social reintegration of the children resident therein.[54]

29. The same Committee was concerned that Barbados only practised closed adoption, therefore the adopted child did not have the right to know his or her biological parents. It recommended that Barbados ensure that its legislation guaranteed the right of the adopted child to know his or her origins and biological parents.[55]

30. The Committee on the Elimination of Discrimination against Women was concerned about the lack of awareness among women that they could retain their maiden names after marriage, and recommended that Barbados raise awareness among women about that possibility. It also recommended that Barbados address the phenomenon of girls running away from home and undertake a study on it so as to tackle its root causes.[56]

C. Economic, social and cultural rights

1. Right to work and to just and favourable conditions of work[57]

31. The International Labour Organization (ILO) Committee of Experts on the Application of Conventions and Recommendations noted that there was no legislative framework supporting the right to equal remuneration for men and women for work of equal value and asked the Government to give full legislative expression to that right.[58] The Committee on the Elimination of Discrimination against Women issued similar recommendations.[59] The United Nations subregional team confirmed that women earned less than men.[60]

32. The ILO Committee of Experts noted the significant occupational gender segregation, with women being confined primarily to a limited range of occupations.[61] The Committee on the Elimination of Discrimination against Women noted with concern the disproportionately high unemployment rate among women and the concentration of women in low-paid jobs in the formal and informal sectors.[62] The United Nations subregional team further noted that, although women scored much higher in educational attainment at the tertiary level, that had not resulted in a major shift in women's access to work, higher incomes or leadership and decision-making positions.[63]

33. The United Nations subregional team noted that the Government had not instituted any additional programmes to facilitate access to basic services or just conditions of work for domestic workers or migrant workers.[64] The ILO Committee of Experts asked the Government to take steps to increase the minimum wage rates for domestic workers, and

ensure that the skills required for domestic work were recognized and valued equitably and free from gender bias, in the setting of minimum wage rates. The ILO Committee of Experts also asked the Government to indicate whether consideration was being given to the adoption of a national minimum wage.[65]

34. The ILO Committee of Experts expressed hope that measures would be taken to re-examine sections of the Shipping Act, with a view to ensuring that no penalties of imprisonment involving compulsory labour could be imposed for violations of labour discipline and that the Government would take the necessary measures to bring the legislation into conformity with the Abolition of Forced Labour Convention, 1957 (No. 105).[66]

35. The ILO Committee of Experts recalled its requests to the Government to amend section 4 of the Better Security Act, 1920, according to which any person who wilfully breaks a contract of service or hiring, knowing that this could endanger real or personal property, would be liable to a fine or up to three months' imprisonment, and noted that no penal sanction should be imposed against a worker for having carried out a peaceful strike and that measures of imprisonment or fines should not be imposed in such cases.[67] The same Committee noted that the Employment Rights Act, which had been passed in Parliament and was awaiting proclamation, covered only cases of anti-union dismissals and further limited that protection to employees who had been continuously employed for a period of more than one year. The Committee recalled that adequate protection against acts of anti-union discrimination should be applied regardless of the employment period.[68]

2. Right to an adequate standard of living[69]

36. The Committee on the Elimination of Discrimination against Women was concerned that austerity measures, including budget cuts aimed at reducing debt, had had a significant impact on social programmes and that regressive taxes such as the Value Added Tax and the National Social Responsibility Tax had disproportionally affected women. It was particularly concerned about the high prevalence of poverty in women-headed households and recommended that Barbados continue to strengthen its programmes to combat the feminization of poverty, in particular among women-headed households.[70] The United Nations subregional team reported that the poorest 40 per cent of households in Barbados also had higher probabilities of being headed by women.[71] It also noted that women had less access to land holding and tenure.[72]

3. Right to health[73]

37. The Committee on the Elimination of Discrimination against Women noted with concern the lack of age-appropriate and comprehensive education on sexual and reproductive health and rights, including on responsible sexual behaviour, as well as the lack of family planning services and the high level of unmet contraception needs among women and girls.[74] The Committee on the Rights of the Child was concerned that such a lack of information and services led to high rates of teenage pregnancies and abortions, and transmission of HIV.[75] The Committee on the Elimination of Discrimination against Women also recommended that Barbados improve access to information on sexual and reproductive health and rights for lesbian, bisexual, transgender and intersex women and girls, and train medical personnel to respond to their specific health needs.[76]

38. The Committee on the Elimination of Discrimination against Women was concerned about the prevalence of HIV/AIDS among women.[77] The United Nations subregional team reported that, under a successful Prevention of Mother-to-Child-Transmission programme, about 90 per cent of HIV-positive pregnant women had received antiretroviral treatment during pregnancy to reduce mother-to-child transmission.[78]

39. The Committee on the Rights of the Child was concerned at the growing alcohol and drug consumption by children and adolescents and recommended that Barbados address the incidence of drug and alcohol consumption by, inter alia, providing children and adolescents with accurate and objective information and life skills education on preventing substance abuse, including tobacco and alcohol, and develop accessible and youth-friendly drug dependence treatment and harm reduction services.[79]

4. Right to education[80]

40. UNESCO was concerned about the low coverage of the right to education in the national legal framework and recommended that, in the perspective of forthcoming constitutional reform, Barbados be invited to include explicit provisions on the right to education.[81]

41. The Committee on the Rights of the Child was concerned that a significant number of babies and toddlers were still waiting to be enrolled in public nurseries. It recommended that Barbados further strengthen efforts to improve access to quality early childhood care and education.[82]

42. The Committee on the Elimination of Discrimination against Women noted with appreciation the high literacy rate among women and welcomed the achievement of gender parity at the primary and secondary school levels. It was, however, concerned about the high dropout rates among adolescent girls at the secondary level often owing to early pregnancy, the absence of a written policy regarding pregnant students in school, compulsory expulsion from schools of pregnant girls after five months of pregnancy, and the lack of measures taken to ensure re-entry and retention in school following childbirth. The Committee recommended that Barbados adopt a written policy to ensure that pregnant women and girls could remain in school after the fifth month of pregnancy and that young mothers could return to school following childbirth.[83] The Committee on the Rights of the Child made a similar recommendation.[84]

43. The Committee on the Elimination of Discrimination against Women was also concerned about the concentration of women and girls in traditionally female-dominated fields of study and their underrepresentation in science, technology, engineering and mathematics. It recommended that Barbados eliminate negative stereotypes and structural barriers to the enrolment of girls in non-traditional fields of education and provide career counselling for girls and boys on non-traditional career paths.[85]

D. Rights of specific persons or groups

1. Women[86]

44. The Committee on the Elimination of Discrimination against Women was concerned at the persistence of deep-rooted patriarchal attitudes and discriminatory stereotypes concerning the roles and responsibilities of women and men, which perpetuated women's subordination in the family and in society.[87] It was also concerned that article 23 (3) (b) of the Constitution did not protect women against discrimination with respect to adoption, marriage, divorce, burial, devolution of property on death and other matters of personal law.[88]

45. The same Committee was concerned at the high prevalence of gender-based violence against women, in particular domestic and sexual violence, which remained culturally accepted and underreported, the lack of statistical data disaggregated by age and relationship between the victim and the perpetrator, and the lack of shelters for women victims of gender-based violence. It was also concerned at the reports of the increasing number of femicides.[89] The United Nations subregional team reported that, in 2016, the Government had passed the Domestic Violence (Protection Orders) Amendment Act, which broadened the definition of domestic violence and allowed police officers to issue protection orders on the spot, enter homes without warrants and seize weapons from suspected offenders. However, there was still no clear definition of violence against women as a gender-based act distinct from intrafamily, family or domestic violence. Furthermore, cases of sexual and domestic violence against women were only prosecuted if the victim pressed charges.[90] The Family Conflict Intervention Unit, established in 2013 by the Royal Barbados Police Force, contributed to the improvement in data collection on and an increase in the reporting of domestic violence cases.[91] However, the unit was composed of only a few officers and lacked adequate equipment, information technology support and data-collection tools.[92]

46. The United Nations subregional team reported that sexual harassment was not specifically defined in law and that the Employment Sexual Harassment Bill had been pending for many years, despite the support of the Government.[93] There was no mechanism for collecting and evaluating data on incidents of sexual harassment, however, there was increased public awareness about the issue.[94] The United Nations subregional team also reported that, despite the high incidences of sexual harassment in the private and public sectors, there were few cases formally reported for fear of retaliation and lack of avenues for redress.[95] The ILO Committee of Experts requested that the Government ensure that the discrimination legislation expressly defined and prohibited sexual harassment.[96]

47. The United Nations subregional team further noted that the Constitution had been amended to allow for both women and men to acquire, change or retain their nationality, however, their ability to do so was not equal. A father could pass on his Barbadian citizenship to his child regardless of his place of birth, but a mother could only pass on her citizenship to her child if she was born in Barbados.[97] The Committee on the Elimination of Discrimination against Women and the Working Group on Discrimination against Women also raised the issue.[98] UNHCR commended the commitment made by Barbados to amend national legislation to reflect that any child born outside of Barbados to a Barbadian citizen was entitled to citizenship by descent.[99]

2. Children[100]

48. The Committee on the Rights of the Child was concerned that the principle of the best interests of the child was not applied in all areas owing to the absence of a mechanism to determine and assess the best interests of the child. It highlighted in particular that, in cases of divorce or separation, there was no specific mechanism to protect the best interests of the child, and encouraged Barbados to develop procedures and criteria for determining such interests in every area and for giving them due weight as a primary consideration, including in cases of family break-up.[101]

49. The same Committee was also concerned at the limited recognition of the child's right to be heard in legislation and the absence of general mechanisms for the exercise of that right. It recommended that Barbados conduct programmes and awareness-raising activities to promote the meaningful and empowered participation of all children in the family, community and schools, including within student council bodies, with particular attention being paid to children in vulnerable situations.[102]

50. The Committee on the Rights of the Child was deeply concerned that corporal punishment was lawful and widely used in homes and schools, and legally allowed in institutions as punishment for children who had committed criminal offences.[103] It was also concerned about the very limited possibility for children to submit complaints and obtain redress.[104] The United Nations subregional team noted that the joint initiative, called the Schools Positive Behaviour Management Programme, aimed at reducing corporal punishment as a disciplinary measure in schools had been mainstreamed in all schools. However, the practice remained legal and continued to be used at the discretion of the principal of the school. It also noted that the pending Juvenile Justice Bill was intended to outlaw the use of corporal punishment as a criminal sanction.[105]

51. The Committee on the Rights of the Child was also concerned about the high rate of and widespread child abuse and recommended that Barbados encourage community-based programmes aimed at preventing and tackling domestic violence, child abuse and neglect.[106] It was also concerned that domestic legislation did not provide strong protection against child sexual abuse and that there was no comprehensive policy to address sexual exploitation of children.[107] The same concern was reiterated by the United Nations subregional team, which also stated that the Government had launched the Break the Silence campaign to empower children, families and victims of sexual abuse to report cases of sexual offence and to break the stigma surrounding the issue. The United Nations subregional team noted that many cases of sexual violence against children were not reported due to, inter alia, out-of-court settlements, reluctance to report sexual violence owing to an ineffective justice system and fear of undermining the privacy and self-esteem of the child victim.[108]

52. The Committee on the Rights of the Child noted with serious concern that national legislation did not establish a clear minimum age for children to work and did not prohibit the involvement of children in hazardous work. It urged Barbados to establish a clear minimum age for children's work and explicitly prohibit the employment of children under the age of 18 years in hazardous work, including by establishing a list of hazardous occupations.[109] The ILO Committee of Experts made similar recommendations.[110] It also requested that the Government redouble its efforts to monitor and combat the worst forms of child labour in the informal economy and ensure that statistical data, disaggregated by sex and age, on the nature, extent and trends of the worst forms of child labour, was made available in the near future.[111]

3. Persons with disabilities[112]

53. The United Nations subregional team noted that the Government had not conducted a census of the population with disabilities. It also noted that legislation was being drafted to prohibit discrimination, including against persons with disabilities, and that a national policy on disability had been pending for many years.[113] UNESCO noted that there was little indication of concrete measures taken to adopt and promote a rights-based and inclusive approach to the education of persons with disabilities.[114] It recommended that Barbados ensure that inclusive education was given priority over the placement of children in special education schools and classes.[115] The Committee on the Rights of the Child noted with appreciation the development of special curricula and individualized education plans, and the establishment of the first secondary school and vocational centre for adolescents with special needs in Barbados.[116]

54. The Committee on the Rights of the Child urged Barbados to take immediate measures to ensure that children with disabilities had access to health care, including early detection and intervention programmes.[117]

55. The Committee on the Elimination of Discrimination against Women was concerned at the lack of public policies and measures to protect the rights of women and girls with disabilities, including their rights to inclusive education, employment, health care, housing and participation in political and public life, and the absence of mechanisms to protect women and girls with disabilities from intersecting forms of discrimination and gender-based violence and abuse. The Committee was also concerned at the alleged practice of forced sterilization of women recognized as legally incapable, with the sole consent of their guardian and without their free, prior and informed consent or an impartial examination of the particular circumstances by a court.[118]

4. Migrants, refugees, asylum seekers and internally displaced persons[119]

56. UNHCR recommended that Barbados consider passing domestic refugee legislation and/or administrative policies, which would ensure that the country was in full compliance with international standards of treatment related to refugees, including those related to the right to work.[120] UNHCR was aware of four asylum seekers in Barbados and reported that, in recent years, the Government had not violated the principle of non-refoulement. However, it recommended that more efforts be made to strengthen proactive identification of persons in need of international protection so the Government did not inadvertently violate the non-refoulement principle simply because of gaps in its legislative and policy framework.[121]

57. UNESCO reported that legal protection against discrimination of non-nationals and migrant children in their access to education was weak. It noted that the Education Act had been amended in 2015 to limit the categories of persons who would be eligible for bursaries, grants, awards, scholarships and exhibitions awarded under the Act, with citizenship being set as a condition.[122] UNESCO recommended that Barbados reconsider the 2015 amendment, which prevented all non-nationals from being eligible for bursaries, grants, awards, scholarships and exhibitions awarded under the Education Act.[123]

Notes

[1] Tables containing information on the scope of international obligations and cooperation with international human rights mechanisms and bodies for Barbados will be available at www.ohchr.org/EN/Countries/LACRegion/Pages/BBIndex.aspx.
[2] For relevant recommendations, see A/HRC/23/11 and Corr.1, paras. 102.1-102.22, 102.40-102.44, 102.57 and 102.66.
[3] United Nations subregional team submission for the universal periodic review of Barbados, p. 1. See also CEDAW/C/BRB/CO/5-8, para. 6.
[4] United Nations subregional team submission, p. 1.
[5] See CRC/C/BRB/CO/2, para. 62-63 and CEDAW/C/BRB/CO/5-8, para. 55.
[6] See CEDAW/C/BRB/CO/5-8, para. 9.
[7] See UNESCO submission for the universal periodic review of Barbados, para. 14.
[8] UNHCR submission for the universal periodic review of Barbados, p. 3.
[9] Ibid., p. 5. See also CRC/C/BRB/CO/2, para. 30.
[10] United Nations subregional team submission, p. 1.
[11] See CEDAW/C/BRB/CO/5-8, para. 7.
[12] United Nations subregional team submission, p. 2.
[13] For relevant recommendations, see A/HRC/23/11 and Corr.1, paras. 102.28 and 102.32-102.37.
[14] See CRC/C/BRB/CO/2, para. 5.
[15] United Nations subregional team submission, p. 2.
[16] See CEDAW/C/BRB/CO/5-8, para. 18.
[17] See CRC/C/BRB/CO/2, para. 16.
[18] For relevant recommendations, see A/HRC/23/11 and Corr.1, paras. 102.38, 102.45-102.47 and 102.52-102.56.
[19] See CEDAW/C/BRB/CO/5-8, para. 11.
[20] See UNESCO submission, para. 12.
[21] United Nations subregional team submission, p. 5.
[22] See CRC/C/BRB/CO/2, paras. 21-22.
[23] See UNESCO submission, para. 12.
[24] See CEDAW/C/BRB/CO/5-8, para. 22.
[25] Ibid., para. 44.
[26] For relevant recommendations, see A/HRC/23/11 and Corr.1, para. 102.107.
[27] United Nations subregional team submission, p. 9.
[28] See CEDAW/C/BRB/CO/5-8, para. 48.
[29] Ibid., para. 37.
[30] Ibid., para. 38.
[31] For relevant recommendations, see A/HRC/23/11 and Corr.1, paras. 102.56-102.71 and 102.90-102.95.
[32] United Nations subregional team submission, p. 9.
[33] Ibid., p. 10.
[34] For relevant recommendations, see A/HRC/23/11 and Corr.1, paras. 102.28 and 102.77.
[35] See CRC/C/BRB/CO/2, para. 60.
[36] United Nations subregional team submission, p. 2.
[37] See CRC/C/BRB/CO/2, para. 60.
[38] Ibid., paras. 60-61.
[39] See CEDAW/C/BRB/CO/5-8, para. 13.
[40] See UNESCO submission, para. 5.
[41] Ibid., para. 6.
[42] Ibid., para. 15.
[43] Ibid., para. 17.
[44] See CEDAW/C/BRB/CO/5-8, para. 27.
[45] For relevant recommendations, see A/HRC/23/11 and Corr.1, paras. 102.52 and 102.87-102.89.
[46] United Nations subregional team submission, p. 11; and UNHCR submission, p. 5.
[47] See CEDAW/C/BRB/CO/5-8, para. 25.
[48] See CRC/C/BRB/CO/2, para. 58.
[49] United Nations subregional team submission, p. 11.
[50] UNHCR submission, p. 5.
[51] See CEDAW/C/BRB/CO/5-8, paras. 25-26.
[52] For the relevant recommendation, see A/HRC/23/11 and Corr.1, para. 102.28.
[53] See CRC/C/BRB/CO/2, para. 19; and CEDAW/C/BRB/CO/5-8, para. 45.
[54] See CRC/C/BRB/CO/2, para. 42.

[55] Ibid., paras. 43-44.
[56] See CEDAW/C/BRB/CO/5-8, paras. 45-46.
[57] For relevant recommendations, see A/HRC/23/11 and Corr.1, paras. 102.23-102.25, 102.47-102.48 and 102.103-102.104.
[58] See www.ilo.ch/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3251157.
[59] See CEDAW/C/BRB/CO/5-8, para. 34.
[60] United Nations subregional team submission, p. 8.
[61] See www.ilo.ch/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3251157.
[62] See CEDAW/C/BRB/CO/5-8, para. 33.
[63] United Nations subregional team submission, p. 7.
[64] Ibid., p. 14.
[65] See www.ilo.ch/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3251157.
[66] See www.ilo.ch/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3253442.
[67] See www.ilo.ch/dyn/normlex/en/f?p=NORMLEXPUB:13100:0::::P13100_COMMENT_ID:3302670.
[68] See www.ilo.ch/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3296804.
[69] For relevant recommendations, see A/HRC/23/11 and Corr.1, paras. 102.105-102.109.
[70] See CEDAW/C/BRB/CO/5-8, para. 37.
[71] United Nations subregional team submission, p. 7.
[72] Ibid., p. 8.
[73] For relevant recommendations, see A/HRC/23/11 and Corr.1, paras. 102.110-102.113.
[74] See CEDAW/C/BRB/CO/5-8, para. 35.
[75] See CRC/C/BRB/CO/2, para. 47.
[76] See CEDAW/C/BRB/CO/5-8, para. 36.
[77] Ibid., para. 35.
[78] United Nations subregional team submission, p. 15.
[79] See CRC/C/BRB/CO/2, paras. 47-48.
[80] For relevant recommendations, see A/HRC/23/11 and Corr.1, paras. 102.106-102.108.
[81] See UNESCO submission, para. 14.
[82] See CRC/C/BRB/CO/2, paras. 51-52.
[83] See CEDAW/C/BRB/CO/5-8, paras. 31-32.
[84] See CRC/C/BRB/CO/2, para. 50.
[85] See CEDAW/C/BRB/CO/5-8, paras. 31-32.
[86] For relevant recommendations, see A/HRC/23/11 and Corr.1, paras. 102.29-102.31, 102.46-102.52 and 102.72-102.79.
[87] See CEDAW/C/BRB/CO/5-8, para. 21.
[88] Ibid., para. 11.
[89] Ibid., para. 23.
[90] United Nations subregional team submission, p. 12.
[91] Ibid., p. 11.
[92] Ibid., p. 12.
[93] Ibid., pp. 2 and 16. See also CEDAW/C/BRB/CO/5-8, para. 33.
[94] United Nations subregional team submission, p. 13.
[95] Ibid., pp. 16-17.
[96] See www.ilo.ch/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3251212.
[97] United Nations subregional team submission, p. 14.
[98] See CEDAW/C/BRB/CO/5-8, paras. 29-30. See also the letter dated 14 November 2014 from the Working Group on the issue of discrimination against women in law and in practice addressed to the Permanent Mission of Barbados to the United Nations Office and other international organizations in Geneva. Available from https://spcommreports.ohchr.org/TMResultsBase/DownLoadPublicCommunicationFile?gId=14460.
[99] UNHCR submission, p. 2.
[100] For relevant recommendations, see A/HRC/23/11 and Corr.1, paras. 102.28 and 102.78-102.86.
[101] See CRC/C/BRB/CO/2, paras. 23-24.
[102] Ibid., paras. 25-26.
[103] Ibid., para. 31. See also CEDAW/C/BRB/CO/5-8, paras. 31-32.
[104] See CRC/C/BRB/CO/2, para. 15.
[105] United Nations subregional team submission, p. 18.
[106] See CRC/C/BRB/CO/2, paras. 33-34.
[107] Ibid., para. 35.
[108] United Nations subregional team submission, pp. 18-19.
[109] See CRC/C/BRB/CO/2, paras. 56-57.
[110] See www.ilo.ch/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3256779.
[111] See www.ilo.ch/dyn/normlex/en/f?p=1000:13100:0::NO:13100:P13100_COMMENT_ID:3256800.

[112] For relevant recommendations, see A/HRC/23/11 and Corr.1, paras. 102.11 and 102.114-102.115.
[113] United Nations subregional team submission, pp. 19-20.
[114] See UNESCO submission, para. 11.
[115] Ibid., para. 12.
[116] See CRC/C/BRB/CO/2, para. 45.
[117] Ibid., para. 46.
[118] See CEDAW/C/BRB/CO/5-8, para. 41.
[119] For the relevant recommendation, see A/HRC/23/11 and Corr.1, para. 102.103.
[120] UNHCR submission, p. 3.
[121] Ibid., p. 1.
[122] See UNESCO submission, para. 13.
[123] Ibid., p. 5, recommendation 3.